

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	2:12-cv-8658-CAS (AJWx)	Date	January 3, 2014
Title	CONTINENTAL CASUALTY CO. V. GOLDFINE INTERNATIONAL INC.		

Present: The Honorable		CHRISTINA A. SNYDER	
CATHERINE JEANG	Not Present		N/A
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants	
Not Present		Not Present	

Proceedings: (IN CHAMBERS): EX PARTE APPLICATION FOR EXTENSION OF TIME TO FILE OPPOSITION TO MOTION FOR LEAVE TO FILE AMENDED COUNTERCLAIM (Dkt. #49, filed December 30, 2013)

On December 16, 2013, defendant and counter-claimant Goldline International, Inc. ("Goldline") filed a motion for leave to file an amended counterclaim. Dkt. #44. The hearing on this motion is currently scheduled for January 13, 2014. Pursuant to Local Rule 7-9, plaintiff and counter-defendant Continental Casualty Company's ("Continental") opposition to Goldline's motion was due on December 23, 2013. On December 30, 2013, Continental filed an ex parte application for extension of time to file its opposition to Goldline's motion so that its opposition, also filed on December 30, 2013, can be deemed to be timely filed. Dkt. #49.

Continental states that it failed to timely file its opposition due to a calendar error. Id. Goldline filed an opposition to Continental's ex parte application on January 2, 2014. Dkt. #54. Goldline states that it opposes Continental's application because Continental's error does not constitute excusable neglect, and the grant of an extension will prejudice Goldline by causing it to have to prepare its reply brief on the motion at the same time as it prepares for several depositions in this matter. Id.

The Court finds that Continental's calendar error constitutes excusable neglect. Accordingly, the Court GRANTS Continental's ex parte application, and hereby deems Continental's opposition to Goldline's motion for leave to file an amended counterclaim to be timely filed.

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Additionally, the Court, on its own motion, CONTINUES the hearing on Goldline's motion for leave to file an amended counterclaim until **February 3, 2014, at 10:00 am.** Goldline shall have until **January 21, 2014,** to file a reply brief in support of its motion.

IT IS SO ORDERED.

Initials of Preparer

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CMJ		